IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6221 OF 2003

Babulal Bhikamchand
Nanawati & Ors. . .. Petitioners.

vs.

Amarchand Laxmichand
Jain & Ors. .. Respondents.

Mr. Y.S. Jahagirdar, Sr. Counsel with
Rajesh Datar for petitioners.
Mr. P.B. Shah for respondents nos. 1 to 5.
Mr. K.K. Tated for R. Nos. 6 to 11.
Mr. A.H. Palekar, AGP., for R. No. 12.

CORAM : S.U. KAMDAR, J.
DATE : 15th December, 2005.

P.C.:

. By consent of the parties the impugned order dated 27.2.2003 passed by the Assistant Charity Commissioner made in Enquiry No. 18 of 2002 is quashed and set aside. The matter is remanded back to the Assistant Charity Commissioner for hearing the issue afresh. The learned counsel for the original applicant makes a statement that they will

neither apply for enrollment of the membership before the Assistant Charity Commissioner nor the Assistant Charity Commissioner will determine the issue pertaining to the validity or status of the petitioner as a member. In that view of the matter, the petition is disposed of. No order as to costs.